

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO: 2004-12099GAO

SHERWIN COOPERSTEIN, by)
ALICE COOPERSTEIN POA, and)
ALICE COOPERSTEIN,)
Plaintiffs,)
)
vs.)
)
ROBERT DAVIS, M.D. and CAPE COD)
HEALTHCARE, INC.,)
Defendants.)
)

**DEFENDANTS, ROBERT DAVIS, M.D. AND CAPE COD HEALTHCARE, INC.S
SUPPLEMENTAL AUTOMATIC REQUIRED DISCLOSURES**

The Defendants, Robert Davis, M.D. and Cape Cod Healthcare, Inc. (hereinafter collectively referred to as the “Defendants”) make this supplemental disclosure in accordance with Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A).

1. Rule 26(a)(1)(A) and Local Rule 26.2(A): The name, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information.

Disclosure:

Robert Davis, M.D.
391 Boxberry Hill Road
East Falmouth, MA 02536
(508) 457-3837
Defendant, emergency room physician who provided medical care and treatment to Sherwin Cooperstein on June 22, 2003.

Alice Cooperstein
10 Hillsboro Drive
West Hartford, CT 06107
(860) 561-9270
Plaintiff, wife of deceased.

Mary Columbo, R.N.
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Triage nurse who cared for and treated Sherwin Cooperstein and fact witness.

Kerry McMahon, R.N.
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Nurse who cared for and treated Sherwin Cooperstein and fact witness.

Jurgan Aetma, R.N.
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Circulating nurse and fact witness.

Kay Wright, R.N.
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Nurse who cared for and treated Sherwin Cooperstein and fact witness.

Walter Ryan, M.D.
143 Palmer Avenue
Falmouth, MA 02540
(508) 495-6001

Hospitalist who provided consultation to Dr. Davis and fact witness.

John Jardine, M.D.
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Emergency Room physician and fact witness.

Bruce Gordon, M.D.
65 Cedar Street
Hyannis, MA 02601
(508) 790-0611

Ear, nose and throat physician who provided consultation to Dr. Davis and fact witness.

Kasia Filipek-Moskal, M.D.
21 Bramblebook Park
Falmouth, MA 02540
(508) 540-0604

Cardiologist physician who provided consultation to Dr. Davis and fact witness.

Keeper of the Records
Falmouth Hospital
100 Ter Heun Drive
Falmouth, MA 02540
(508) 548-5300

Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Brigham & Women's Hospital
75 Francis Street
Boston, MA 02115
(617) 732-5500

Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
JML Care Center, Inc.
184 Ter Heun Drive
Falmouth, MA 02540

Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Edward J. Fredericks, M.D.
85 Seymour Street, Suite 515
Hartford, CT 06106

Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Charles Zoolinger, M.D.
15 Parkman Street, Wang 835
Boston, MA 02114

Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Devin McManus, M.D.
Falmouth Medical Associates
10 Bramblebush Park
Falmouth, MA 02540
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Lawrence Pareles, M.D.
85 Seymore Street
Hartford, CT 06101
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Cape Cod Wheelchair Transit
57 Mid Tech Drive
Yarmouth Port, MA 02675
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Massachusetts General Hospital (Dr. John Growdon)
55 Fruit Street
Boston, MA 02114
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Medical Services Ambulance
57 Midtech Drive
West Yarmouth, MA 02114
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Michael T. Leahy, M.D.
109B County Road
North Falmouth, MA 02556
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Falmouth Fire and Rescue Department
399 Main Street
Falmouth, MA 02540
Provided medical care and treatment to Sherwin Cooperstein.

Keeper of the Records
Stephen R. Conway, M.D.
Hartford Neurology, LLC
85 Seymour Street, Suite 800
Hartford, CT 06106
Provided medical care and treatment to Sherwin Cooperstein.

Defendants' experts will be disclosed in a timely manner in accordance with the Revised Joint Discovery Plan and Motion Schedule submitted pursuant to L.R. 16.1(D).

2. Rule 26(a)(1)(B): a copy of, or a description by category and location of, all documents, data, compilations, and tangible things in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Disclosure:

The Defendants state that they possess the following documents and other things at their offices, which are relevant to the facts alleged in the Plaintiff's Amended Complaint.

- a) Medical records from Falmouth Hospital;
- b) Medical records from Brigham & Women's Hospital;
- c) Medical records from Edward J. Fredericks, M.D.;
- d) Medical records from JML Care Center;
- e) Medical records from Cape Cod Wheelchair Transit;
- f) Medical records from Charles Zoolinger, M.D.;
- g) Medical records from Devin McManus, M.D.;
- h) Medical records from Massachusetts General Hospital;
- i) Medical records from Medical Services Ambulance;
- j) Medical records from Patrick Coll, M.D.;
- k) Medical records from Alexander Gaudio, M.D.;
- l) Medical records from Lawrence Pareles, M.D.;
- m) Medical records from James Graydon, M.D.;
- n) Medical records from Michael Lawlor, M.D.;
- o) Medical records from Massachusetts Eye and Ear Infirmary;
- p) Medical records from Ronald Rosenberg, M.D.;
- q) Medical records from Henry B.C. Lowe, M.D.;
- r) Medical records from Douglas Almond, M.D.;
- s) Medical records from Randolph Kinkade, OD, MPH, FAAO;
- t) Medical records from Bay Radiology Associates;
- u) Medical records from Brigham & Women's Physician Group;
- v) Medical records from Michael T. Leahy, M.D.;
- w) Medical records from Cardiovascular Specialists;
- x) Medical records from Falmouth Fire Rescue Department;

- y) Medical records from Stephen R. Conway, M.D.;
- z) Certificate of Insurance for Dr. Robert Davis and Cape Cod Healthcare, Inc.;
- aa) Death certificate for Dr. Sherwin Cooperstein;
- bb) Curriculum vitae of Dr. Robert Davis; and
- cc) Employment contract between Dr. Robert Davis and Falmouth Hospital.

3. Rule 26(a)(1)(C): A computation of any category or damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Disclosure:

Not applicable.

4. Rule 26(a)(1)(D): For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payment made to satisfy the judgment.

Disclosure:

Certificate of Insurance for policy issued by Cape Health Insurance Company, policy number 060104; policy period June 1, 2004 to June 1, 2005, with coverage limits of \$2,000,000.00 per claim/\$10,000,000.00 aggregate.

Certificate of Insurance for policy CCH maintains under Cape Cod Health Insurance Company Limited (“CHICO”). This insurance provides coverage in excess of the statutory cap of \$20,000.00.

Respectfully submitted,

The Defendants,
ROBERT DAVIS, M.D. and
CAPE COD HEALTHCARE, INC.,

Dated: May 18, 2006

/s/ Tanya Oldenhoff
Edward T. Hinchey, BBO #235090
Tanya K. Oldenhoff, BBO #651006
Sloane and Walsh, LLP
Three Center Plaza
Boston, Massachusetts 02108
(617) 523-6010

CERTIFICATE OF SERVICE

I, Tanya K. Oldenhoff, hereby certify that on May 18, 2006 I served a true copy of the foregoing document on all parties or counsel of record, by first class mail, postage prepaid, to:

FOR THE PLAINTIFFS

Gerald S. Sack, Esq.
Law Offices of Gerald S. Sack
836 Farmington Avenue, Suite 109
West Hartford, CT 06119
Tel: (860) 236-7225
Email: gssack@sacklawoffice.com

/s/ Tanya Oldenhoff
Tanya K. Oldenhoff